

Remarks

Applicant respectfully requests that this Preliminary Amendment under 37 C.F.R. § 1.115 be entered by the Examiner. This amendment cancels claims 1-9. No new matter has been added.

Upon entry of the foregoing Amendment, claims 10-52 are pending in the application, with claims 10 and 52 being the independent claims. Claims 1-9 are sought to be canceled without prejudice or disclaimer of the subject matter therein. Applicant reserves the right to file a divisional application directed to the subject matter of canceled claims 1-9. Entry of the Amendment is respectfully requested.

Support for all claims can be found throughout the specification and claims of the parent, Appl. No. 09/971,007, as filed on October 5, 2001. References to page and line numbers are to the as-filed parent specification. Support for claims 1-9 is found, *inter alia*, in originally-filed claims 1-8 and 17. Support for claims 10-11 is found, *inter alia*, in originally-filed claims 9 and 11. Support for claims 12-16 is found, *inter alia*, in the specification at page 6, line 22 through page 7, line 8, and at page 3, lines 1-3. Support for claims 17-19 is found, *inter alia*, in the specification at page 4, line 31 through page 5, line 4, and at page 23, lines 9-17; and in originally-filed claims 15 and 16. Support for claim 20 is found, *inter alia*, in the specification at page 21, lines 5-11. Support for claims 21-49 is found, *inter alia*, in the specification at page 21, line 2 through page 22, line 3. Support for claims 50-51 is found, *inter alia*, in the specification at page 23, lines 1-8. Support for claim 52 is found, *inter alia*, in originally-filed claim 10. No new matter has been added.

The captioned specification differs from the as-filed parent specification as follows. References to page and line numbers are to the as-filed parent specification referenced

above. On page 1, line 3, before "continuation of International Application" was inserted --divisional of application Ser. No. 09/971,007, filed October 5, 2001, which is a--. On page 1, line 6, "priority" was deleted and --benefit under-- was inserted therefor. The added and amended text merely corrects the claim to priority and does not introduce new matter.

Additionally, on page 21, line 6, "mg/kg per day" has been deleted, and --mg/day-- has been inserted therefor; page 21, line 7, "mg/kg per day" has been deleted, and --mg/day-- has been inserted therefor; page 21, line 8, "mg/kg" has been deleted, and --mg/day-- has been inserted therefor; page 21, line 30, "mg/kg" has been deleted, and --mg/day-- has been inserted therefor. Further, on page 21, line 9, ", per day of the body weight of the mammal being treated" has been deleted. These changes merely correct typographical errors and do not introduce new matter.

The dosage units on lines 6-8 and 30 were accidentally written as mg/kg per day or as mg/kg. A person of ordinary skill in the art would recognize these errors to be obviously of a typographical nature: as written, the per-kilogram-of-body-weight dosages would indicate an amount of active ingredient far too large to administer to a mammal. Furthermore, all of the other unit oral doses for specific agents provided on page 21 are in units of mg/day. It is readily apparent from reading lines 12-31 that all unit oral doses for gabapentin, pregabalin, and the specified sodium channel blockers were intended to be reported in units of mg/day. In lines 30-31, the preferred range logically must be within the first given range. Similarly, the unit oral dosages in lines 2-9 provide the outer limits for the dosage ranges for each specific compound that follows. These exemplary and preferred dosages logically must be within the stated outer limits. Furthermore, the inclusion of the clause "per day of the body weight of the mammal being treated" on line 9 is a word-

processing error, a copy of the clause that appears in lines 4-5. It is obviously such an error because as currently written it creates oral doses with units containing a day² factor (i.e., per day per day), a factor that is nonsensical in the context of the present application.

On page 6, line 27, "bum pain" has been deleted, and --burn pain-- has been inserted therefor. This amendment merely corrects a typographical error and does not introduce new matter. The deleted term appears as part of a non-exhaustive list of types of chronic pain disorders, the treatment of which the present invention is directed to. *See* page 6, lines 19-28. As is disclosed, chronic pain can be a burning pain. *See* page 3, lines 1-3. This fact, combined with the typographical similarity between the letters "n" and "m", would render the error obvious to one of ordinary skill in the art. Entry of the amended specification is respectfully requested.

Conclusion

It is respectfully believed that the present application is in condition for examination. Early notice to this effect is earnestly solicited. If the Examiner believes, for any reason, that

personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Respectfully submitted,

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